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16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

18 GABRIELA CORTEZ SANDOVAL, } No. 2:23-cv-0833 DB
19 Plaintiff, }
20 v. }
21 KILOLO KIJAKAZI, } STIPULATION TO VOLUNTARY
22 Acting Commissioner of Social Security, } REMAND PURSUANT TO SENTENCE
23 Defendant. } FOUR OF 42 U.S.C. § 405(g) AND TO
24 } ENTRY OF JUDGMENT; AND ORDER
25 }
26 }
27 }
28 }

20 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo
21 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned
22 counsel of record, that the above-entitled action shall be remanded to the Commissioner of
23 Social Security for further administrative proceedings.

24 Upon remand, the Appeals Council will remand the case to an Administrative Law
25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The
26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
28

STIPULATION TO REMAND

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).
3

4 Dated: October 30, 2023

*/s/ Jonathan Omar Pena, Esq.**

JONATHAN OMAR PENA, ESQ.

Attorney for Plaintiff

*Authorized via e-mail on November 1, 2023

7 PHILLIP A. TALBERT

8 United States Attorney

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10 By:

/s/ Erin A. Jurrens

11 ERIN A. JURRENS

12 Special Assistant U.S. Attorney

13 Attorneys for Defendant

15 ORDER

16 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
17 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
18

IT IS ORDERED that:

19 1. The above-captioned action is remanded to the Commissioner of Social Security for
20 further proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act,
21 42 U.S.C. 405(g);

22 2. Upon remand, the Appeals Council will remand the case to an Administrative Law
23 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record; and.

24 3. The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against
25 Defendant, reversing the final decision of the Commissioner.

26 DATED: November 1, 2023

/s/ DEBORAH BARNES

27 UNITED STATES MAGISTRATE JUDGE